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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

BED BATH & BEYOND INC., *et al.*,
Debtors.¹

Chapter 11

Case No. 23-13359 (VFP)
(Jointly Administered)

NOTICE OF AMENDMENT OF CURE OBJECTION DEADLINE

PLEASE TAKE NOTICE that on April 25, 2023, the United States Bankruptcy Court for the District of New Jersey (the “Court”) entered the *Order (I)(A) Approving the Auction and Bidding Procedures, (B) Approving Stalking Horse Bid Protections, (C) Scheduling Bid Deadlines and an Auction, (D) Approving the Form and Manner of Notice Thereof, (E) Approving the Form APA, and (II)(A) Establishing Notice and Procedures for the Assumption and Assignment of Contracts and Leases, (B) Authorizing the Assumption and Assignment of Assumed Contracts, (C) Authorizing the Sale of Assets and (D) Granting Related Relief* [Docket No. 92] (the “Bidding Procedures Order”)² in the chapter 11 cases of the above-captioned debtors and debtors in possession (collectively, the “Debtors”), by which the Court approved procedures setting forth the

¹ The last four digits of Debtor Bed Bath & Beyond Inc.’s tax identification number are 0488. A complete list of the Debtors in these chapter 11 cases and each such Debtor’s tax identification number may be obtained on the website of the Debtors’ claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>. The location of Debtor Bed Bath & Beyond Inc.’s principal place of business and the Debtors’ service address in these chapter 11 cases is 650 Liberty Avenue, Union, New Jersey 07083.

² Capitalized terms used but not defined in this notice have the meanings given to them in the Bidding Procedures Order.

process by which the Debtors were authorized to conduct an auction or auctions (the “Auction” or “Auctions”) for the sale of any portion, all, or substantially all of the Debtors’ Assets.

PLEASE TAKE FURTHER NOTICE that, on June 13, 2023, in accordance with the Bidding Procedures Order, the Debtors filed the *Notice of Selection of Stalking Horse Bidder* [Docket No. 708] pursuant to which the Debtors selected Overstock.com, Inc. as the Stalking Horse Bidder for the Acquired Assets (as defined in the Overstock APA).

PLEASE TAKE FURTHER NOTICE that on June 13, 2023, the Debtors filed the *Notice to Contract Parties to Potentially Assumed Executory Contracts and Unexpired Leases* [Docket No. 714] (the “Potentially Assumed Contracts List”) which established June 26, at 5:00 p.m. (prevailing Eastern Time) as the objection deadline with respect to proposed Cure Payments, among other things (such deadline, the “Cure Objection Deadline”).

PLEASE TAKE FURTHER NOTICE that, on June 21, 2023, at 10:00 a.m. (prevailing Eastern Time), and 1:00 p.m. (prevailing Eastern Time), the Debtors conducted Auctions with respect to the Wamsutta Assets and Beyond.com Asset (each as defined herein) respectively, pursuant to the Bidding Procedures Order, at the offices of Kirkland & Ellis, LLP, 601 Lexington Avenue, New York, New York 10022, and via videoconference arranged by counsel to the Debtors.

PLEASE TAKE FURTHER NOTICE that the Debtors will seek approval of the Sale Transaction to Overstock.com, Inc. (the “Overstock Sale”) at the Sale Hearing on June 27, 2023, at 2:30 p.m. (prevailing Eastern Time) (the “Overstock Sale Hearing”), before the Honorable Judge Papalia, at the United States Bankruptcy Court for the District of New Jersey, 50 Walnut Street, 3rd Floor, Courtroom 3B, Newark, New Jersey 07102, or conducted consistent with the procedures established pursuant to the Court’s standing orders regarding remote hearings in bankruptcy cases due to the COVID-19 pandemic, all of which are facilitated via Zoomgov.

PLEASE TAKE FURTHER NOTICE that, in accordance with the *Notice of Amended of Dates and Deadlines Related to the Debtors’ Bidding Procedures* [Docket No. 771], the Debtors have established July 5, 2023 at 9:00 a.m. (prevailing Eastern Time) as the objection deadline with respect to a sale of the buybuy BABY Assets.

PLEASE TAKE FURTHER NOTICE that, through the Overstock Sale, the Debtors will not assume or assume and assign any unexpired leases.

PLEASE TAKE FURTHER NOTICE that, through the Overstock Sale, the Debtors will not assume or assume and assign any executory contracts that are not expressly set forth in the Overstock APA, and accordingly, **the Debtors do not intend to proceed on any objections related to Cure Payments during the Overstock Sale Hearing.**

PLEASE TAKE FURTHER NOTICE that, **with respect to all executory contracts and unexpired leases listed on the Potentially Assumed Contracts List (other than those contracts scheduled to be assumed pursuant to the Overstock APA), the Cure Objection Deadline has been extended to July 5, 2023 at 9:00 a.m. (prevailing Eastern Time).**

PLEASE TAKE FURTHER NOTICE that nothing herein shall affect the objection deadline established pursuant to the *Notice of Phase 1 Lease Auction, Qualified Bids, Lease Sale Hearing, and Related Lease Asset Information* [Docket No. 905].

PLEASE TAKE FURTHER NOTICE that the Debtors reserve the right to further amend the Cure Objection Deadline in accordance with the Bidding Procedures Order.

Dated: June 23, 2023

/s/ Michael D. Sirota

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